

SDNY, New York
08-CV-7104
Hon. D. Chin.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

USDC SDNY
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DOC #:

DATE FILED: OCT 26 2009

Securities and Exchange Commission v.
Byers

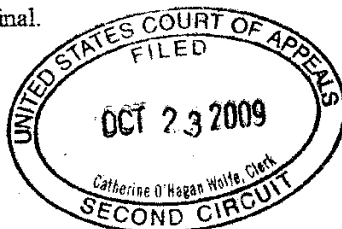
Docket No. 09-3593-CV

STIPULATION TO DISMISS APPEAL NO. 09-3593-CV ONLY

The undersigned hereby stipulate that the above-captioned appeal is hereby
withdrawn without costs and without attorneys' fees pursuant to Rule 42(b) of the Federal Rules
of Appellate Procedure.

The undersigned further stipulate that a signature on this document by facsimile shall be
sufficient as an original.

Dated: 9/29/09



Dated: 10/13/09

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SO-ORDERED:

FOR THE COURT

Catherine O'Hagan Wolfe, Clerk of Court

By

Lisa J. Greenberg, Staff Counsel

Counsel: Please print name and firm under
signatures.

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk

by

DEPUTY CLERK

Certified:

OCT 23 2009